

IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF SOUTH CAROLINA
 ORANGEBURG DIVISION

Aqkwele Polidore,)	C.A. No. 5:22-cv-02238-MGL-KDW
)	
Plaintiff,)) DEFENDANT'S ANSWERS TO COURT-
v.)	ORDERED INTERROGATORIES
)	[LOCAL RULE 26.03 DSC]
)	
The City of Orangeburg,)	
)	
Defendants.)	
)	

Defendant responds to the Court's interrogatories, pursuant to Local Civil Rule 26.03 DSC, as follows:

(1) A short statement of the facts of the case.

RESPONSE: Plaintiff was hired by the City of Orangeburg within its Department of Public Safety effective February 18, 1998. She resigned effective July 31, 2012, and was rehired in a part-time position effective April 10, 2013. Plaintiff has filed a lawsuit against Defendant in state court alleging violation of the South Carolina Payment of Wages Act, Defamation, Negligent Supervision and Retention and Civil Conspiracy. *See Aqkwele Polidore v. Orangeburg Department of Public Safety, Edward Conner, Michael Adams, and others in their individual capacities*, C.A. No. 2022-CP-38-00403, currently on file in the Orangeburg County Court of Common Pleas. Plaintiff has filed this action alleging race and sex discrimination and retaliation in violation of Title VII of the Civil Rights Act of 1964. Defendant denies that it violated any state or federal statute or the common law in relation to Plaintiff.

(2) The names of fact witnesses likely to be called by the party and a brief summary of their expected testimony.

RESPONSE: Defendant identifies the following fact witnesses in addition to Plaintiff and individuals listed in the previous filings in this matter:

Sidney Evering, Edward Conner, Michael Adams, Theresa Williams, Randi Myers Borman, Karen Sanders, Randy Hughes, K. Duke and S. Philips may be able to testify concerning Plaintiff's employment, hours worked and compensation received. They may also be prepared to deny allegations found in Plaintiff's Amended Complaint.

In addition to the above witnesses, Defendant reserves the right to identify additional witnesses as discovery proceeds and to call any witnesses identified by Plaintiff.

(3) The names and subject matter of expert witnesses (if no witnesses have been identified, the subject matter and field of expertise should be given as to experts likely to be offered).

RESPONSE: Defendant has not yet determined whether it will call an expert witness at the trial of this case. Should Defendant determine that it will call an expert witness, it will promptly supplement the discovery responses to provide information about the witness(es).

(4) A summary of the claims or defenses with statutory and/or case citations supporting the same.

RESPONSE: Plaintiff alleges claims of race and sex discrimination and retaliation in violation of Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000(e) et seq.) (“Title VII”). Many of the allegations in Plaintiff’s Amended Complaint are far outside of Title VII’s statute of limitations found at 42 U.S.C. § 2000e-5(e)(1). Plaintiff has requested punitive damages, which are not recoverable against Defendant pursuant to 42 U.S.C. § 1981a(b)(1). Plaintiff’s claims are governed by McDonnell Douglas Corp. v. Green, 411 U.S. 792 (1973), and similar cases.

(5) Absent special instructions from the assigned judge, the parties shall propose dates for the following deadlines listed in Local Civil Rule 16.02.

- i. Exchange of Fed.R.Civ.P. 26(a)(2) expert disclosures.
- ii. Completion of discovery.

RESPONSE: The parties agree that the Conference and Scheduling Order filed August 10, 2022 is appropriate for this case.

(6) The parties shall inform the Court whether there are any special circumstances which would affect the time frames applied in preparing the scheduling order.

RESPONSE: The parties are not aware of any such circumstances at this time.

(7) The parties shall provide any additional information requested in the Pre-Scheduling Order (Local Civil Rule 16.01) or otherwise requested by the assigned judge.

RESPONSE: Not applicable.

September 9, 2022

Columbia, South Carolina

s/Fred A. Williams

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